

(I) by striking “the Administrator or”; and
(II) by striking “designee of either” and inserting “Archivist’s designee”; and

(ii) in subparagraph (A), by striking “the Administrator, the Archivist,” and inserting “the Archivist”; and

(2) in subsection (b)—

(A) by striking “the Administrator and”; and

(B) by striking “designee of either” and inserting “Archivist’s designee”.

(e) **REPORTS; CORRECTION OF VIOLATIONS.**—Section 2115 of title 44, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “their respective” and inserting “the”; and

(B) by striking “and the Administrator”; and

(C) by striking “each”; and

(2) in subsection (b)—

(A) by striking “either”; and

(B) by striking “or the Administrator”, each place it appears; and

(C) by striking “inaugurated” and inserting “demonstrably commenced”.

(f) **RECORDS MANAGEMENT BY THE ARCHIVIST.**—

(1) **AMENDMENT.**—The heading for chapter 29 of title 44, United States Code, is amended by striking “**AND BY THE ADMINISTRATOR OF GENERAL SERVICES**”.

(2) **CONFORMING AMENDMENT.**—The table of chapters at the beginning of title 44, United States Code, is amended in the item related to chapter 29 by striking “and by the Administrator of General Services”.

(g) **ESTABLISHMENT OF PROGRAM OF MANAGEMENT.**—Section 3102(2) of title 44, United States Code, is amended by striking “the Administrator of General Services and”.

SEC. 10. DISCLOSURE REQUIREMENT FOR OFFICIAL BUSINESS CONDUCTED USING NON-OFFICIAL ELECTRONIC MESSAGING ACCOUNT.

(a) **AMENDMENT.**—Chapter 29 of title 44, United States Code is amended by adding at the end the following new section:

“§ 2911. Disclosure requirement for official business conducted using non-official electronic messaging accounts

“(a) **IN GENERAL.**—An officer or employee of an executive agency may not create or send a record using a non-official electronic messaging account unless such officer or employee—

“(1) copies an official electronic messaging account of the officer or employee in the original creation or transmission of the record; or

“(2) forwards a complete copy of the record to an official electronic messaging account of the officer or employee [within five days] not later than 20 days after the original creation or transmission of the record.

“(b) **ADVERSE ACTIONS.**—The intentional violation of subsection (a) (including any rules, regulations, or other implementing guidelines), as determined by the appropriate supervisor, shall be a basis for disciplinary action in accordance with subchapter I, II, or V of chapter 75 of title 5, as the case may be.

“(c) **DEFINITIONS.**—In this section:

“(1) **ELECTRONIC MESSAGES.**—The term ‘electronic messages’ means electronic mail and other electronic messaging systems that are used for purposes of communicating between individuals.

“(2) **ELECTRONIC MESSAGING ACCOUNT.**—The term ‘electronic messaging account’ means any account that sends electronic messages.

“(3) **EXECUTIVE AGENCY.**—The term ‘executive agency’ has the meaning given that term in section 105 of title 5.”

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 29 of

title 44, United States Code, is amended by adding at the end the following new item:

“2911. Disclosure requirement for official business conducted using non-official electronic messaging accounts.”

Mr. REID. Mr. President, I ask unanimous consent that the committee-reported amendments be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 1233), as amended, was passed.

NATIONAL DRUG TAKE-BACK WEEK

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 466, and the Senate now proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 466) designating the week of October 27 through November 2, 2014, as “National Drug Take-Back Week”, and designating October 2014 as “National Prescription Opioid and Heroin Abuse Awareness Month”.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 466) was agreed to.

(The resolution, with its preamble, is printed in the RECORD of June 3, 2014, under “Submitted Resolutions.”)

APPROVING THE LOCATION OF AN AMERICAN REVOLUTION MEMORIAL

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.J. Res. 120, which was received from the House and is at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the House joint resolution by title.

The bill clerk read as follows:

A joint resolution (H.J. Res. 120) approving the location of a memorial to commemorate the more than 5,000 slaves and free Black persons who fought for independence in the American Revolution.

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. REID. I ask unanimous consent that the joint resolution be read three times and passed, and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The joint resolution (H.J. Res. 120) was read the third time and passed.

MEASURE READ THE FIRST TIME—H.R. 5078

Mr. REID. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The bill clerk read as follows:

A bill (H.R. 5078) to preserve existing rights and responsibilities with respect to waters of the United States, and for other purposes.

Mr. REID. I now ask for a second reading but, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding rule XXII, following the vote on the motion to invoke cloture on S.J. Res. 19, the Senate proceed to executive session and consider Calendar Nos. 544, 977, 685, 867, 976, 917, 914 and 758; that there be 2 minutes for debate equally divided between the two leaders or their designees prior to each vote; that upon the use or yielding back of time the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that any rollcall votes, following the first in the series, be 10 minutes in length; that if any nomination is confirmed, the motion to reconsider be considered made and laid upon the table, without any intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that President Obama be immediately notified of the Senate’s action and the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. For the information of Senators, we expect the nominations considered in this agreement to be confirmed by voice vote.

ORDERS FOR THURSDAY, SEPTEMBER 11, 2014

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30